

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF APPEALS AND INTERFERENCE**

In re Application of

Confirmation No: 9037

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Group Art Unit: 2614

Serial No: 09/876,049

Examiner: MD Shafiul Elahee

Filed: June 8, 2001

Customer No: 34610

For: PERSONAL COMMUNICATIONS SYSTEM AND METHOD

APPEAL BRIEF

U.S. Patent and Trademark Office
Customer Window, Mail Stop Appeal Brief-Patents
Randolph Building
401 Dulany Street
Alexandria, Virginia 223134

Sir:

This Appeal Brief is submitted pursuant to the Notice of Non-Compliant Appeal Brief issued on October 30, 2007, in connection with the above-identified application. The missing line numbers requested in the Notice have been provided in the Summary of Claimed Subject Matter section. Applicants submit that the Appeal Brief is now in condition for review by the Board.

REAL PARTY IN INTEREST

The real party in interest is the assignee, Vaghi Family Intellectual Properties, LLC, by virtue of an Assignment recorded in the U.S. Patent and Trademark Office at Reel/Frame 012303/0993.

RELATED APPEALS AND INTERFERENCES

No related appeals or interferences are pending in connection with this application.

STATUS OF THE CLAIMS

Claims 107, 108, 129, and 131-168 have been finally rejected and are the subjects of this appeal. Claims 1-106, 109-128, and 130 have been canceled. A copy of the claims on appeal is set forth in the Appendix attached to this paper.

STATUS OF AMENDMENTS

All amendments filed in this application have been entered.

SUMMARY OF THE CLAIMED SUBJECT MATTER

The development of mobile phones has improved the lives of people around the world. Now more than ever, a person may be reached almost instantly regardless of his or her location. This is made possible through the ubiquitous coverage of modern mobile communication networks.

While advances in communication technology have provided great benefits to be sure, they have also presented new challenges that complicate life on some levels. One problem is to reduce the number of phone numbers people have to remember when calling another person. This problem is especially evident when the person to be called has one or more temporary numbers. The present invention solves this problem by allowing a mobile phone user to receive calls at a hard-wired telephone that has been configured to receive calls not only based on the PSTN number of the hard-wired phone but also at the phone number of the user's personal mobile phone.

The invention represents a significant improvement in the art, especially for mobile phone users on travel. Under one exemplary scenario, a user can set the hard-wired telephone in his hotel room to receive calls at the phone number of his mobile phone. Thus, if the user's mobile phone runs out of battery or gets lost or broken, the hard-wired phone allows the user to retain the ability to receive calls in the hotel room at the phone number of his mobile phone. Even more importantly, if the user forgets his mobile phone on a trip, the user can still receive calls through the hard-wired phone in his hotel room by properly setting the hard-wired phone to the phone number of his cell phone as claimed.

The benefits are significant to people who seek to call the mobile phone user. Through the claimed invention, callers are no longer required to remember two phone numbers, e.g., the user's mobile phone number and the user's temporary hotel phone number. Rather, callers only have to remember the user's cell phone number and the user can be reached on his cell phone or his hard-wired telephone in his hotel room using the phone number of the user's mobile phone.

A communication system or telephone set which achieves these and/or other advantages are defined in the claims at issue in this appeal.

Independent Claim 107

Claim 107 recites a telephone set comprising a first wireless communications unit, a memory unit for storing activation information, and a hard-wired telephone to receive calls from a land line at a first telephone number. These features are included in multiple embodiments disclosed in the specification and shown in the figures. To satisfy the requirements of MPEP § 41.37(c)(1)(v),

according to one or more non-limiting embodiments, the first wireless communications unit corresponds to reference numeral 665 in Figure 19 or reference numeral 690 in Figure 20, the memory unit corresponds to memory card 675 in Figure 20, and the hard-wired telephone may correspond to 650 in Figure 19 or 678 in Figure 20. See page 35, line 6 - page 6, line 36 of the specification for a disclosure of the features of these non-limiting embodiments.

According to another non-limiting embodiment, the wireless communications unit corresponds to reference numeral 600 and the memory unit to reference numeral 602, and both of these are included in a telephone set which may be a hard-wired telephone set. See page 37, line 9 - page 39, line 8, which make reference to the fourth embodiment which includes a hard-wired telephone application, see lines 7 and 16-22 of page 35 where the circuits of Figures 19 and 20 are discussed in relation to one another and also page 33, line 17.

The hard-wired telephone includes a processor for automatically setting the first wireless communications unit to receive one or more calls from a wireless service provider. To satisfy the requirements of MPEP § 41.37(c)(1)(v), see, for example, processors 30 or 75 in Figures 3, 7, and 8 which apply to multiple embodiments as well as the hard-wired telephone circuits 678 and the wireless communication device 690 in Figure 20, as well as the wireless communication unit 600 in Figure 22. See also page 35, line 6 to page 39, line 8.

The processor automatically sets the first wireless communications unit to receive said calls from a mobile communications network at a phone number of second wireless communications unit which is a user's pre-existing mobile telephone number. To satisfy the requirements of MPEP § 41.37(c)(1)(v), see, for example, pages 32, lines 11-15, page 35, lines 12-15, and page 36 with

reference to Figs. 19-21, and pages 37-39 with reference to Figs. 22 and 23. This includes page 38, lines 1-22 and page 39, lines 1-8. See also page 40, line 14 - page 41, line 13. See also Block 740 in Figure 23.

For ease and convenience, claim 107 further recites that the user's pre-existing mobile telephone number is entered through a keypad of the hard-wired telephone for access by the processor for automatically setting the first wireless communications unit. (See, for example, pages 37-39 with reference to Figs. 22 and 23, which includes page 38, lines 5-14, of the specification and Block 710 of Figure 23.). Thus, the user is allowed to program the hard-wired telephone (e.g., in a hotel or hospital room) simply by entering his mobile phone number through a keypad of the hard-wired telephone.

Dependent Claims 144, 146-150, and 156-159

Claim 144 recites that, after setting the first wireless communications unit, the processor automatically transmits a signal to the wireless service provider to provide notification that the first wireless communications unit is available to receive calls from the mobile communications network at the user's mobile telephone number of the second wireless communications unit. (See, for example, page 38, line 11- page 39, line 8 with reference to Figs. 20, 22, and 23).

Claim 146 recites that the processor resets the first wireless communications unit to receive calls from the mobile communications network at a mobile telephone number of third wireless communications unit of a new user, after the removable storage medium is replaced with a removable storage medium containing the new user's mobile telephone number. (See, for example,

page 32, line 10 - page 33, line 14, page 35, line 6-15, page 36, lines 7-17, and page 38, line 20 - page 39, line 8, with reference to Figs. 19-23).

Claim 147 recites that the processor transmits a message to the wireless service provider to prevent the first wireless communications unit from receiving calls from any number different from the new user's telephone number. (See, for example, page 35, line 16 - page 36, line 6).

Claim 148 recites that the processor automatically prevents the first wireless communications unit from receiving calls corresponding to the mobile telephone number of the user's second wireless communications unit based on time-of-activation information entered by the user. (See, for example, page 40, lines 1-7).

Claim 149 recites that the time-of-activation information indicates a period of time, and wherein the processor counts down the period of time while the first wireless communications unit is set in a call monitoring mode to receive calls from the mobile communications network at the mobile telephone number of the user's second wireless communications unit. (See, for example, page 40, lines 1-7).

Claim 150 recites that the time-of-activation information is set by the user through operation of the keypad of the hard-wired telephone. (See, for example, page 40, line 1 - page 41, line 4).

Claim 156 recites that audio signals corresponding to the calls as received by the first wireless communications unit are output through a handset of the hard-wired telephone. (See, for example, page 35, line 6 - page 36, line 6 and Fig. 20).

Claim 157 recites that the first wireless communications unit, the memory unit, and said processor are included within a housing of the hard-wired telephone. (See, for example, page 35, lines 6-15 and Fig. 20).

Claim 158 recites that the first telephone number is a PSTN number. (See, for example, page 23, lines 5-13).

Claim 159 recites that the processor automatically deactivates the first wireless communications unit from receiving calls at the phone number of the second wireless communications unit, and automatically sets the first wireless communications unit to receive calls from the mobile communication network or another mobile communications network at a phone number of a third wireless communications unit corresponding to another user's pre-existing mobile telephone number. (See, for example, page 32, line 10 - page 33, line 14, page 35, line 6-15, page 36, lines 7-17, and page 38, line 20 - page 39, line 8, with reference to Figs. 19-23).

Independent Claim 108

Claim 108 provides a different scope of protection. This claim recites a communications system comprising a hard-wired telephone, a first wireless communications unit remotely coupled to the hard-wired telephone, and a memory unit for storing activation information. The hard-wired telephone includes a keypad and a transceiver to receive calls from a land-line at a first telephone number. (See, for example, page 35, line 6 - page 36, line 6 and Fig. 20).

In addition, claim 108 recites that the hard-wired telephone includes a processor for automatically setting the first wireless communications unit to receive one or more calls from a wireless service provider. The processor automatically sets the first wireless communications unit to receive said calls from a mobile communications network at a phone number of a second wireless communications unit which is a user's pre-existing mobile telephone number. Claim 108 further recites that the user's pre-existing mobile telephone number is entered through a keypad of the hard-wired telephone for access by the processor for automatically setting the first wireless communications unit. (See, for example, pages 32, 35 and 36 with reference to Figs. 19-21, and page 37, line 9- page 39, line 8 with reference to Figs. 22 and 23).

Dependent Claims 151-155 and 160-163

Claim 151 recites that the processor resets the first wireless communications unit to receive calls from the mobile communications network at a mobile telephone number of a third wireless communications unit of a new user, after the removable storage medium is replaced with a removable storage medium containing the new user's mobile telephone number. (See, for example, page 32, line 10 - page 33, line 14, page 35, line 6-15, page 36, lines 7-17, and page 38, line 20 - page 39, line 8, with reference to Figs. 19-23).

Claim 152 recites that the processor transmits a message to the wireless service provider to prevent the first wireless communications unit from receiving calls from any number different from the new user's telephone number. (See, for example, page 35, line 16 - page 36, line 6).

Claim 153 recites that the processor automatically prevents the first wireless communications unit from receiving calls corresponding to the user's mobile telephone number of the second wireless communications unit based on time-of-activation information entered by the user. (See, for example, page 40, line 1 - page 41, line 4).

Claim 154 recites that the time-of-activation information indicates a period of time, and wherein the processor counts down the period of time while the first wireless communications unit is set in a call monitoring mode to receive calls based on the user's mobile telephone number. . (See, for example, page 40, line 1 - page 41, line 4).

Claim 155 recites that the time-of-activation information is set by the user through operation of the keypad. . (See, for example, page 40, line 1 - page 41, line 4).

Claim 160 recites that audio signals corresponding to the calls as received by the first wireless communications unit are output through a handset of the hard-wired telephone. (See, for example, page 35, line 6 - page 36, line 6 and Fig. 20).

Claim 161 recites that the first wireless communications unit, the memory unit, and said processor are included within a housing of the hard-wired telephone. (See, for example, page 35, lines 6-15 and Fig. 20).

Claim 162 recites that the first telephone number is a PSTN number. (See, for example, page 23, lines 5-13).

Claim 163 recites that the processor automatically deactivates the first wireless communications unit from receiving calls at the phone number of the second wireless communications unit, and automatically sets the first wireless communications unit to receive calls

from the mobile communications network or another mobile communications network at a phone number of a third wireless communications unit corresponding to another user's pre-existing mobile telephone number. (See, for example, page 32, line 10 - page 33, line 14, page 35, line 6-15, page 36, lines 7-17, and page 38, line 20 - page 39, line 8, with reference to Figs. 19-23).

Independent Claim 129

Claim 129 provides a different scope of protection from claims 107 and 108. Unlike claims 107 and 108, claim 129 recites a reader that reads information from a removable storage medium, which information may correspond to the user's pre-existing mobile phone number.

More specifically, claim 129 recites a telephone set comprising a first wireless communications unit, a reader that reads information from a removable storage medium; and a hard-wired telephone to receive calls from a land line at a first telephone number. The hard-wired telephone includes a processor for automatically setting the first wireless communications unit to receive one or more calls from a wireless service provider. The processor automatically sets the first wireless communications unit to receive said calls from a mobile communications network at a phone number of a second wireless communications unit which is a user's pre-existing mobile telephone number. Claim 129 further recites that the user's pre-existing mobile telephone number is read by the reader from the removable storage medium. (See, for example, pages 32, 34-36 with reference to Figs. 19-21, and pages 37-39 with reference to Figs. 22 and 23. See also, page 32, lines 10-21).

Dependent Claims 131-143, 145, and 164-168

Claim 131 recites that the reader reads a user identification code from the removable storage medium, and that the processor compares the user identification code to a pre-stored code to authorize receiving calls from the mobile communications network at the mobile telephone number of the user. (See, for example, page 39, lines 15-22).

Claim 132 recites that the information stored on the removable storage medium includes a serial number used to authorize receipt of said calls. (See, for example, page 32, lines 15-17, and page 39, lines 15-22).

Claim 133 recites that the information stored on the removable storage medium includes location information used to authorize receipt of said calls. (See, for example, page 32, lines 10-21).

Claim 134 recites that the information stored on the removable storage medium includes information which the wireless service provider or a local exchange carrier needs to activate operation of a wireless phone. (See, for example, page 32, lines 10-21).

Claim 135 recites the additional feature of a communications port to receive telephone calls through a public switched telephone network. (See, for example, pages 35 and 36 and Fig. 19).

Claim 136 recites that the telephone calls received through the public switched telephone network bypass the first wireless communications unit. (See, for example, page 35, line 1 - page 36, line 21 and Fig. 19).

Claim 137 recites that the processor generates a control signal to prevent reception of calls through the public switched telephone network when the first wireless communications unit is activated. (See, for example, page 35, line 16 - page 36, line 6. See also pages 37-39).

Claim 138 recites that the first wireless communications unit is deactivated to allow calls to be received through the public switched telephone network when no removable storage medium is coupled to the reader. (See, for example, page 35, line 16 - page 36, line 6. See also pages 37-39).

Claim 139 recites a connector to connect the first wireless communications unit to a remotely located antenna. (See, for example, page 36, lines 1-21 and page 40, line 1-21).

Claim 140 claims that the hard-wired telephone is located in a hotel room. (See, for example, page 41, lines 1-21).

Claim 141 that the hard-wired telephone includes a keypad to enter a phone number to be dialed by the user based on the user's mobile telephone number of the second wireless communications unit to which the first wireless communications unit is set by said processor. (See, for example, pages 32, 34-36 with reference to Figs. 19-21, and page 37, line 8 - page 39, line 8 with reference to Figs. 22 and 23).

Claim 142 recites the additional features of a USB port coupled to the removable storage medium for transferring said information to the reader. (See, for example, page 29, lines 10-18 and page 33).

Claim 143 recites that the hard-wired telephone is located in a kitchen appliance. (See, for example, page 33, lines 15-22, and page 35, lines 1-5, with reference to Fig. 18(b)).

Claim 145 recites that the processor places the first wireless communications unit in call monitoring mode after receiving a confirmation signal from the wireless service provider, the confirmation signal received in response to the notification signal. (See, for example, page 39, lines 1-21).

Claim 164 recites that audio signals corresponding to the calls as received by the first wireless communications unit are output through a handset of the hard-wired telephone. (See, for example, page 35, line 6 - page 36, line 6 and Fig. 20).

Claim 165 recites that the first wireless communications unit, the memory unit, and said processor are included within a housing of the hard-wired telephone, (See, for example, page 35, lines 6-15 and Fig. 20).

Claim 166 recites that the first telephone number is a PSTN number. (See, for example, page 23, lines 5-13).

Claim 167 recites that the processor automatically deactivates the first wireless communications unit from receiving calls at the phone number of the second wireless communications unit, and automatically sets the first wireless communications unit to receive calls from the mobile communications network or another mobile communications network at a phone number of a third wireless communications unit corresponding to another user's pre-existing mobile telephone number. (See, for example, page 32, line 10 - page 33, line 14, page 35, line 6-15, page 36, lines 7-17, and page 38, line 20 - page 39, line 8, with reference to Figs. 19-23).

Claim 168 recites that the reader is included in the hard-wired telephone (See, for example, pages 32, 34-36 with reference to Figs. 19-21, and pages 37-39 with reference to Figs. 22 and 23. See also, page 32, lines 10-21).

GROUND OF REJECTION TO BE REVIEWED ON APPEAL

1. Claims 107, 108, 144, 156-158, and 160-162 are rejected under 35 USC § 102(b) for being anticipated by the Wenk patent.
2. Claims 129, 131, 132, 134-136, 138-141, 143, 164-166, and 168 stand rejected under 35 USC § 103(a) for being obvious in view of a Wenk-Norman combination.
3. Claim 133 stands rejected under 35 USC § 103(a) for being obvious in view of a Wenk-Norman-McDonnell combination.
4. Claim 137 stands rejected under 35 USC § 103(a) for being obvious in view of a Wenk-Norman-Bultman combination.
5. Claim 142 stands rejected under 35 USC § 103(a) for being obvious in view of a Wenk-Norman-Parrott combination.
6. Claim 145 stands rejected under 35 USC § 103(a) for being obvious in view of a Wenk-Norman-McGregor combination.

7. Claims 146, 147, 151, 152, 159, and 163 stand rejected under 35 USC § 103(a) for being obvious in view of a Wenk-Norman-Tayloe combination.

8. Claims 148-150 and 153-155 stand rejected under 35 USC § 103(a) for being obvious in view of a Wenk-Tsukamoto combination.

9. Claim 167 stands rejected under 35 USC § 103(a) for being obvious in view of a Wenk-Norman-Tayloe combination.

ARGUMENTS

Appellant respectfully submits that the rejections in the Final Office Action are improper for the following reasons.

I. Claims 107, 108, 144, 156-158, and 160-162 are Not Anticipated by the Wenk Patent

Claims 107 and 108 are discussed separately below along with their dependent claims.

A. Claim 107 and its Dependent Claims

Claim 107 recites that the processor in the hard-wired phone sets the first wireless communications unit “to receive said calls from a mobile communications network at a phone number of second wireless communications unit which is a user’s pre-existing mobile telephone number.” As a result of this feature, claim 107 covers a telephone set that operates as follows.

If the user's pre-existing mobile telephone number is 571-555-1212, then the processor will automatically set an internal wireless communications unit ("first wireless communications unit") within the telephone set to receive calls from a mobile communications network at the telephone number of 571-555-1212. Such a phone is not disclosed by the Wenk patent.

The Wenk patent discloses a personal base station 345 which has two docking stations. The first docking station receives a cordless phone 34' and the second docking station receives a cellular phone 347. In operation, when the cellular phone gets near the base station, the phone number of the cellular phone is received by the base station. Alternatively, the base station may receive the number of the cellular phone through a user interface (e.g., keypad) 42'. (See Figure 9).

When the base station receives the phone number of the cellular phone 347, a mobile network is instructed to route all calls to base station 18. However, unlike claim 107, the mobile network is instructed to route calls for the cellular phone to a landline telephone number corresponding to the base station. (See column 9, line 65 - column 10, line 5, and also column 10, lines 30-36).

The Wenk patent does not disclose automatically setting an internal wireless communications unit of its base station to receive calls from a mobile communications network at the telephone number of the second wireless communications unit which is a user's pre-existing mobile telephone number as recited in claim 107. In contrast to claim 107, all modifications are made to the network routing circuits, which are external to the Wenk base station. The setting

function of the internal wireless unit performed by the processor of the claimed invention is therefore not performed.

Thus, by way of illustration, consider the foregoing example where the phone number of cellular phone 347 is 571-555-1212. The Wenk system would instruct all calls dialed to 571-555-1212 to be routed by an external network to the landline phone number of base station 18 (e.g., 571-000-000). The Wenk system does not automatically set an internal wireless communications unit (“first wireless communications unit”) to receive calls at the same number as the cellular phone (571-272-1212) through a mobile communications network. Absent a disclosure of these features, it is respectfully submitted that the Wenk patent cannot anticipate claim 107.

Dependent claim 144 recites that, after setting the first wireless communications unit, the processor automatically transmits a signal to the wireless service provider to provide notification that the first wireless communications unit is available to receive calls from the mobile communications network at the user’s mobile telephone number of the second wireless communications unit. The Wenk patent does not disclose these features.

Dependent claim 156 recites that audio signals corresponding to the calls as received by the first wireless communications unit are output through a handset of the hard-wired telephone. The Wenk patent does not disclose these features.

Dependent claim 157 recites that the first wireless communications unit, the memory unit, and said processor are included within a housing of the hard-wired telephone. The Wenk patent does not disclose these features.

Dependent claim 158 recites that the first telephone number is a PSTN number. The Wenk patent does not disclose these features.

B. Claim 108 and its Dependent Claims

Claim 108 recites also recites a processor which automatically sets “the first wireless communications unit to receive said calls from a mobile communications network at a phone number of a second wireless communications unit which is a user’s pre-existing mobile telephone number.” From the foregoing discussion relative to claim 107, it is evident that the Wenk patent does not disclose these quoted features of claim 108. Absent a disclosure of these features, it is respectfully submitted that the Wenk patent cannot anticipate claim 108.

Dependent claim 160 recites that audio signals corresponding to the calls as received by the first wireless communications unit are output through a handset of the hard-wired telephone. The Wenk patent does not disclose these features.

Dependent claim 161 recites that the first wireless communications unit, the memory unit, and said processor are included within a housing of the hard-wired telephone. The Wenk patent does not disclose these features.

Dependent claim 162 recites that the first telephone number is a PSTN number. The Wenk patent does not disclose these features.

II. Claims 129, 131, 132, 134-136, 138-141, 143, 164-166, and 168 are Non-Obvious in View of a Wenk-Norman Combination

Claim 129 recites features similar to those which patentably distinguish claims 107 and 108 from the Wenk patent. Specifically, claim 129 recites that a hard-wired telephone which includes a processor which performs the function of “automatically setting the first wireless communications unit to receive said calls from a mobile communications network at a phone number of a second wireless communications unit which is a user’s pre-existing mobile telephone number read by the reader from the removable storage medium.” The Wenk patent does not teach or suggest these features, and neither does the Norman patent.

As shown in Figures 1-3, the Norman patent discloses a mobile telephone 10 and a hard-wired telephone. The hard-wired telephone (coupled to PSTN 59 in Figure 2) is used to receive a phone call from a customer activation center. During the phone call, the customer activation center orally provides a user who answers the hard-wired telephone with a new telephone number (referred to as a permanent MIN). The user then manually dials the new number into the mobile telephone 10 to activate it. (See column 12, line 65 - column 13, line 13).

However, unlike claim 129, the Norman patent does not disclose that its hard-wired telephone includes a processor for “automatically setting the first wireless communications unit to receive said calls from a mobile communications network at a phone number of a second wireless communications unit which is a user’s pre-existing mobile telephone number read by the reader from the removable storage medium.” Instead, the mobile phone user manually inputs the new phone number into the phone after receiving the number orally from a customer activation center operator.

(See also column 6, lines 5-12). Then, a processor in the mobile phone 10 is used to set the phone to receive calls at the new MIN number.

In other embodiments, Norman discloses sending the new MIN to mobile phone 10 from a wireless service provider or through PSTN 59. In this latter case, an RJ-11 jack is plug directly into the mobile telephone. However, even in these embodiments, a processor in the hard-wired telephone is not used to automatically set the mobile telephone to receive calls at the new MIN number. Instead, a processor in mobile phone 10 is used to perform this setting function.

Claim 129 also requires the processor in the hard-wired telephone to obtain the mobile telephone number of the second wireless communications unit from a removable storage medium inserted into a reader. Norman does not disclose these features.

The Norman patent, therefore, fails to teach or suggest the features of claim 129 missing from the Wenk patent. Accordingly, it is submitted that claim 129 and its dependent claims are allowable over a Wenk-Norman combination.

Claim 132 recites that the information stored on the removable storage medium includes a serial number used to authorize receipt of said calls. These features are not taught or suggested by the Wenk and Norman patents, whether taken alone or in combination.

Claim 134 recites that “the-information stored on the removable storage medium includes information which the wireless service provider or a local exchange carrier needs to activate operation of a wireless phone.” These features are not taught or suggested by the Wenk and Norman patents, whether taken alone or in combination.

Claim 136 recites that the telephone calls received through the public switched telephone network bypass the first wireless communications unit. These features are not taught or suggested by the Wenk and Norman patents, whether taken alone or in combination. For example, Wenk discloses that all calls are received through the landline phone number of its base unit. Accordingly, Wenk does not teach or suggest the features of claim 136, and neither does Norman.

Claim 138 recites that “the first wireless communications unit is deactivated to allow calls to be received through the public switched telephone network when no removable storage medium is coupled to the reader.” The Wenk and Norman patents do not teach or suggest these features.

Claim 139 recites a connector to connect the first wireless communications unit to a remotely located antenna. The Wenk and Norman patents do not teach or suggest these features.

Claim 140 recites that the hard-wired telephone is located in a hotel room. The Wenk and Norman patents do not teach or suggest these features.

Claim 143 recites that the hard-wired telephone is located in a kitchen appliance. The Wenk and Norman patents do not teach or suggest these features.

Claim 165 recites that the first wireless communications unit, the memory unit, and said processor are included within a housing of the hard-wired telephone. The process of claim 129 is not taught or suggested in the Wenk and Norman patents, whether taken alone or in combination. Accordingly, the features of claim 165 are also missing from a combination of these patents.

Claim 168 recites that the reader is included in the hard-wired telephone. The Wenk and Norman patents do not teach or suggest the reader or the read information recited in claim 129. It therefore logically follows that these patents also fail to teach or suggest the features of claim 168.

III. The Remaining Rejections

The Wenk patent was combined with one or more secondary references to reject claims which depend from claims 107, 108, or 129. None of these secondary references, (i.e., McDonnell, Bultman, Parrott, McGregor, and Tayloe) teach or suggest the features of base claims 107, 108, and 129 missing from the Wenk and Norman patents. Accordingly, it is submitted that the claims subject to the remaining rejections in the Office Action are allowable at least by virtue of their dependency from claims 107, 108, or 129.

A. Claim 147

In addition, dependent claim 147 separately recites that “the processor transmits a message to the wireless service provider to prevent the first wireless communications unit from receiving calls from any number different from the new user’s telephone number.”


The Tayloe patent discloses a mobile phone which reads telephone numbers from a SIM card. When the SIM card is removed, the numbers read from the SIM card are deactivated in the phone. (See column 6, lines 39-57). However, claim 147 recites that the processor transmits a message to the wireless service provider to prevent the first wireless communication unit from receiving calls from any number different from the new user’s telephone number. The Tayload patent does not teach or suggest transmitting a message to a wireless service provider in this manner. Accordingly, it is submitted that claim 147 is allowable, not only by virtue of its dependency from claim 107 but also based on the features separately recited therein.

B. Claim 151

Claim 152 recites that the processor transmits a message to the wireless service provider to prevent the first wireless communications unit from receiving calls from any number different from the new user's telephone number. As noted above, the Tayloc patent does not teach or suggest these features. Accordingly, it is submitted that claim 152 is allowable, not only by virtue of the features recited in its base claim but also based on the features separately recited therein.

For the foregoing reasons, Appellant respectfully requests the Board to reverse the rejections in the outstanding Office Action.

Respectfully submitted,
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CLAIMS APPENDIX

1-106 (Canceled)

107. (Rejected) A telephone set, comprising:

a first wireless communications unit;

a memory unit for storing activation information; and

a hard-wired telephone to receive calls from a land line at a first telephone number, the hard-wired telephone including a processor for automatically setting the first wireless communications unit to receive one or more calls from a wireless service provider, said processor automatically setting the first wireless communications unit to receive said calls from a mobile communications network at a phone number of second wireless communications unit which is a user's pre-existing mobile telephone number, wherein the user's pre-existing mobile telephone number is entered through a keypad of the hard-wired telephone for access by the processor for automatically setting the first wireless communications unit.

108. (Rejected) A communications system, comprising:

a hard-wired telephone, including a keypad and a transceiver, to receive calls from a land-line at a first telephone number; and

a first wireless communications unit remotely coupled to said hard-wired telephone;

and

a memory unit for storing activation information;

wherein the hard-wired telephone includes a processor for automatically setting the first wireless communications unit to receive one or more calls from a wireless service provider, said processor automatically setting the first wireless communications unit to receive said calls from a mobile communications network at a phone number of a second wireless communications unit which is a user's pre-existing mobile telephone number, wherein the user's pre-existing mobile telephone number is entered through a keypad of the hard-wired telephone for access by the processor for automatically setting the first wireless communications unit.

109-128 (Canceled)

129. (Rejected) A telephone set, comprising:

a first wireless communications unit;

a reader that reads information from a removable storage medium; and

a hard-wired telephone to receive calls from a land line at a first telephone number, the hard-wired telephone including a processor for automatically setting the first wireless communications unit to receive one or more calls from a wireless service provider, said processor automatically setting the first wireless communications unit to receive said calls from a mobile communications network at a phone number of a second wireless communications unit which is a user's pre-existing mobile telephone number read by the reader from the removable storage medium.

130. (Canceled)

131. (Rejected) The telephone set of claim 129, wherein the reader reads a user identification code from the removable storage medium, and wherein said processor compares the user identification code to a pre-stored code to authorize receiving calls from the mobile communications network at the mobile telephone number of the user.

132. (Rejected) The telephone set of claim 129, wherein the information stored on the removable storage medium includes a serial number used to authorize receipt of said calls.

133. (Rejected) The telephone set of claim 129, wherein the information stored on the removable storage medium includes location information used to authorize receipt of said calls.

134. (Rejected) The telephone set of claim 129, wherein the information stored on the removable storage medium includes information which the wireless service provider or a local exchange carrier needs to activate operation of a wireless phone.

135. (Rejected) The telephone set of claim 129, further comprising: a communications port to receive telephone calls through a public switched telephone network.

136. (Rejected) The telephone set of claim 135, wherein the telephone calls received through the public switched telephone network bypass the first wireless communications unit.

137. (Rejected) The telephone set of claim 135, wherein the processor generates a control signal to prevent reception of calls through the public switched telephone network when the first wireless communications unit is activated.

138. (Rejected) The telephone set of claim 135, wherein the first wireless communications unit is deactivated to allow calls to be received through the public switched telephone network when no removable storage medium is coupled to the reader.

139. (Rejected) The telephone set of claim 129, further comprising: a connector to connect the first wireless communications unit to a remotely located antenna.

140. (Rejected) The telephone set of claim 139, wherein the hard-wired telephone is located in a hotel room.

141. (Rejected) The telephone set of claim 129, wherein the hard-wired telephone includes a keypad to enter a phone number to be dialed by the user based on the user's mobile telephone number of the second wireless communications unit to which the first wireless communications unit is set by said processor.

142. (Rejected) The telephone set of claim 129, further comprising: a USB port coupled to the removable storage medium for transferring said information to the reader.

143. (Rejected) The telephone set of claim 129, wherein the hard-wired telephone is located in a kitchen appliance.

144. (Rejected) The telephone set of claim 107, wherein, after setting the first wireless communications unit, the processor automatically transmits a signal to the wireless service provider to provide notification that the first wireless communications unit is available to receive calls from the mobile communications network at the user's mobile telephone number of the second wireless communications unit.

145. (Rejected) The telephone set of claim 143, wherein the processor places the first wireless communications unit in call monitoring mode after receiving a confirmation signal from the wireless service provider, the confirmation signal received in response to the notification signal.

146. (Rejected) The telephone set of claim 107, wherein the processor resets the first wireless communications unit to receive calls from the mobile communications network at a mobile telephone number of third wireless communications unit of a new user, after the removable storage medium is replaced with a removable storage medium containing the new user's mobile telephone number.

147. (Rejected) The telephone set of claim 146, wherein the processor transmits a message to the wireless service provider to prevent the first wireless communications unit from receiving calls from any number different from the new user's telephone number.

148. (Rejected) The telephone set of claim 107, wherein the processor automatically prevents the first wireless communications unit from receiving calls corresponding to the mobile telephone number of the user's second wireless communications unit based on time-of-activation information entered by the user.

149. (Rejected) The telephone set of claim 148, wherein the time-of-activation information indicates a period of time, and wherein the processor counts down the period of time while the first wireless communications unit is set in a call monitoring mode to receive calls from the mobile communications network at the mobile telephone number of the user's second wireless communications unit.

150. (Rejected) The telephone set of claim 149, wherein the time-of-activation information is set by the user through operation of the keypad of the hard-wired telephone.

151. (Rejected) The communications system of claim 108, wherein the processor resets the first wireless communications unit to receive calls from the mobile communications network at a mobile telephone number of a third wireless communications unit of a new user, after the removable

storage medium is replaced with a removable storage medium containing the new user's mobile telephone number.

152. (Rejected) The communications system of claim 151, wherein the processor transmits a message to the wireless service provider to prevent the first wireless communications unit from receiving calls from any number different from the new user's telephone number.

153. (Rejected) The communications system of claim 108, wherein the processor automatically prevents the first wireless communications unit from receiving calls corresponding to the user's mobile telephone number of the second wireless communications unit based on time-of-activation information entered by the user.

154. (Rejected) The communications system of claim 153, wherein the time-of-activation information indicates a period of time, and wherein the processor counts down the period of time while the first wireless communications unit is set in a call monitoring mode to receive calls based on the user's mobile telephone number.

155. (Rejected) The communications system of claim 153, wherein time-of-activation information is set by the user through operation of the keypad.

156. (Rejected) The telephone set of claim 107, wherein audio signals corresponding to said calls as received by the first wireless communications unit are output through a handset of the hard-wired telephone.

157. (Rejected) The telephone set of claim 107, wherein the first wireless communications unit, the memory unit, and said processor are included within a housing of the hard-wired telephone.

158. (Rejected) The telephone set of claim 107, wherein the first telephone number is a PSTN number.

159. (Rejected) The telephone set of claim 107, wherein said processor automatically deactivates the first wireless communications unit from receiving calls at the phone number of the second wireless communications unit, and automatically sets the first wireless communications unit to receive calls from the mobile communication network or another mobile communications network at a phone number of a third wireless communications unit corresponding to another user's pre-existing mobile telephone number.

160. (Rejected) The communications system of claim 108, wherein audio signals corresponding to said calls as received by the first wireless communications unit are output through a handset of the hard-wired telephone.

161. (Rejected) The communications system of claim 108, wherein the first wireless communications unit, the memory unit, and said processor are included within a housing of the hard-wired telephone.

162. (Rejected) The communications system of claim 108, wherein the first telephone number is a PSTN number.

163. (Rejected) The communications system of claim 108, wherein said processor automatically deactivates the first wireless communications unit from receiving calls at the phone number of the second wireless communications unit, and automatically sets the first wireless communications unit to receive calls from the mobile communications network or another mobile communications network at a phone number of a third wireless communications unit corresponding to another user's pre-existing mobile telephone number.

164. (Rejected) The telephone set of claim 129, wherein audio signals corresponding to said calls as received by the first wireless communications unit are output through a handset of the hard-wired telephone.

165. (Rejected) The telephone set of claim 129, wherein the first wireless communications unit, the memory unit, and said processor are included within a housing of the hard-wired telephone.

166. (Rejected) The telephone set of claim 129, wherein the first telephone number is a PSTN number.

167. (Rejected) The telephone set of claim 129, wherein said processor automatically deactivates the first wireless communications unit from receiving calls at the phone number of the second wireless communications unit, and automatically sets the first wireless communications unit to receive calls from the mobile communications network or another mobile communications network at a phone number of a third wireless communications unit corresponding to another user's pre-existing mobile telephone number.

168. (Rejected) The telephone set of claim 129, wherein the reader is included in the hard-wired telephone.

EVIDENCE APPENDIX

Appellant has not provided or relied on any evidence in connection with this appeal and therefore there is no evidence to submit or discuss in this appendix.

RELATED PROCEEDINGS APPENDIX

No decisions by a court of the Board have been rendered in connection with this or any related application, or in connection with any proceeding identified in the related appeals and interferences section. Therefore, there are no copies to submit in connection with this appendix.